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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,502	08/09/2001	Robert D. Hillhouse	12-68 US	6182

25319 7590 01/13/2005

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CANADA

EXAMINER

NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/924,502	Applicant(s) HILLHOUSE, ROBERT D.	
	Examiner Minh Dieu Nguyen	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/28/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 are pending.

Specification

2. The disclosure is objected to because of the following informalities:

On page 1, paragraph [002], "Is has always been..." should be "It has always been...].

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"the predetermined criteria..." lacks antecedent basis.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5, 8-12 and 15-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Weiss (4,720,860).

a) As to claims 1, 11 and 16-17, Weiss discloses a method and system for the electronic generation and comparison of non-predictable codes comprising providing a process for transforming at least a variable parameter into an ordered string of characters (Abstract), wherein the process sometimes results in different ordered strings of characters for a same variable parameter (col. 6, lines 14-16); providing at least a variable parameter as a known password (col. 4, lines 1-4); determining from data available to an individual and from the known password a static string (Fig. 1, element 40); providing the determined static string as a password for verification (Fig. 1, element 80); and verifying the static string to determine that it is an accurate transformation of the at least a variable parameter according to the provided process and when the determination is that the transformation is accurate, providing an indication that the password is verified (Fig. 1, element 90).

b) As to claim 2, Weiss discloses the step of verifying the static string includes the step of performing the process for transforming at least a variable parameter on the known password to determine a second static string (Fig. 1, element 70); comparing the provided static string with the second static string to determine a comparison result (Fig. 1, element 80); and when the comparison result is indicative of a match, providing an indication that the password is verified (Fig. 1, element 90).

c) As to claim 3, Weiss discloses the at least a variable parameter includes an uncontrollably variable parameter (col. 4, lines 54-59).

d) As to claim 4, Weiss discloses the at least a variable parameter includes at least a static parameter (col. 4, lines 19-21).

e) As to claim 5, Weiss discloses the process includes steps of determining from present time data, a current value for a variable parameter relating to time (col. 4, lines 57-59).

f) As to claim 8, Weiss discloses the method wherein the known password is provided by a user (col. 6, lines 53-54).

g) As to claims 9-10, Weiss discloses the known password is entered as a string of characters, wherein the string of characters is parsable to form the known password, the parsing distinguishing variable parameters from static parameters within the known password and wherein at least a character is indicative of one of a variable parameter and a static parameter (col. 6, lines 16-33).

h) As to claim 12, Weiss discloses the step of parsing the provided string of characters to distinguish static data from the at least a variable parameter (col. 6, lines 16-21).

i) As to claim 15, Weiss discloses the step of extracting and storing static and dynamic data (col. 3, lines 37-45). However Weiss does not disclose hashing the static data.

The examiner takes official notice that hashing is an algorithm quite well-known in the data communications.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of hashing the static data to determine a hash value in the system of Weiss so as to make the data even more secure.

j) As to claims 18-19, Weiss discloses the plurality of variable parameters comprises uncontrollably varying parameters (col. 6, lines 28-33) and wherein the predetermined criteria for varying the variable parameters is characteristics of a time frame (col. 1, lines 49-51).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss (4,720,860) in view of Jalili (6,209,104).

a) As to claims 6-7, Weiss does not disclose the steps of providing data image to a user for interpretation and comparing the user's interpretation to a predetermined known interpretation.

Jalili discloses a method and system of secure data entry comprising providing various icons (Fig. 4), serve as an identifiable indicator of an element of the data or

password to be entered, to a user for interpretation (col. 7, lines 15-16) and comparing the user's interpretation to a predetermined known interpretation (col. 3, lines 54-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of images associated with password to be entered as Jalili teaches in the system of Weiss so as to provide a system that is user friendly, not susceptible to observation during data entry and resistant to interception (col. 2, lines 64-67).

b) As to claims 13-14, Jalili discloses the parameters are selected from a plurality of available parameters and wherein the plurality of available parameters are provided to a user for selecting therefrom (col. 3, lines 46-47) and are each represented by an identifier (col. 7, lines 9-10) and wherein the identifier for a given parameter in one instant is different from the identifier for a same parameter in another instant (col. 7, lines 41-45; col. 9, lines 1-10).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873. The examiner can normally be reached on M-F 6:00-2:30.

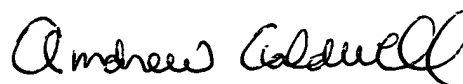
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2137

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

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mdn
1/5/05

Minh Dieu Nguyen
Examiner
Art Unit 2137



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER